

UNITED STATES DISTRICT COURT

Southern

District of New York

Picture Patents, LLC

SUMMONS IN A CIVIL ACTION

V.

Aeropostale, Inc.
Dick's Sporting Goods, Inc.
Bath & Body Works, LLC
The Charlotte Russe, Inc.
GSI Commerce Solutions, Inc.
National Basketball Association, Inc.
Major League Baseball Enterprises, Inc.
Linens 'n Things, Inc.
Tweeter Home Entertainment Group, Inc.
Buy.com, Inc.

CASE NUMBER: 07cv5567

TO: Major League Baseball Enterprises, Inc.
245 Park Avenue
New York, NY 10167

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY

Thomas J. Parker
Alston & Bird LLP
90 Park Avenue
New York, NY 10016

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

Marcos Quintero

(By) DEPUTY CLERK

DATE

FEB 01 2008

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<p><input type="checkbox"/> Served personally upon the defendant. Place where served:</p> <p><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.</p> <p style="padding-left: 40px;">Name of person with whom the summons and complaint were left:</p> <p><input type="checkbox"/> Returned unexecuted:</p> <p><input type="checkbox"/> Other (specify):</p>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on		
Date	Signature of Server	
<div style="border-top: 1px solid black; margin-top: 10px; width: 100%;"></div> <p><i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PICTURE PATENTS, LLC,

Plaintiff,

V.

AEROPOSTALE, INC., DICK'S SPORTING
GOODS, INC., BATH & BODY WORKS, LLC,
THE CHARLOTTE RUSSE, INC., GSI
COMMERCE SOLUTIONS, INC., NATIONAL
BASKETBALL ASSOCIATION, INC., MAJOR
LEAGUE BASEBALL ENTERPRISES, INC.,
LINENS 'n THINGS, INC., TWEETER HOME
ENTERTAINMENT GROUP, INC., BUY.COM,
INC.

Defendants.

X

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X

Case No. 07cv5567

**AFFIDAVIT OF
SERVICE**

STATE OF NEW YORK)

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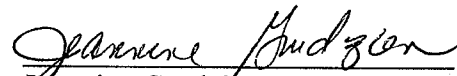
ss:

COUNTY OF NEW YORK)

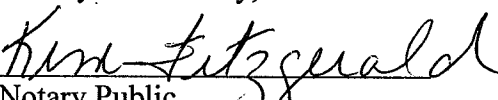
Jeannine Grudzien, being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and is employed by Alston & Bird LLP.

That on the 6th day of February, 2008, at approximately 3:05 p.m., deponent served a copy of the Summons, First Amended Complaint, Individual Practices of Judge John G. Koeltl, and Individual Practices of Magistrate Judge Henry Pitman upon Major League Baseball Enterprises, Inc., 245 Park Avenue, New York, New York 10167 by personally delivering and leaving the same with Grace Carrasco, Senior Administrative Assistant to Ethan Arlinski, who was authorized to accept service.

Grace Carrasco is a Hispanic female, approximately 30 years old, stands approximately 5 feet 2 inches tall and weighs approximately 120 pounds, and wears eye glasses.


Jeannine Grudzien

Sworn to before me this
6th day of February, 2008


Notary Public

KIM FITZGERALD
Notary Public, State of New York
No. 01FI609313
Qualified in Kings County
Certificate Filed in New York County
Commission Expires August 9, 20 09